

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

FEDERAL TRADE COMMISSION, STATE  
OF CALIFORNIA, STATE OF  
COLORADO, STATE OF ILLINOIS,  
STATE OF INDIANA, STATE OF IOWA,  
STATE OF MINNESOTA, STATE OF  
NEBRASKA, STATE OF OREGON,  
STATE OF TENNESSEE, STATE OF  
TEXAS, STATE OF WASHINGTON, and  
STATE OF WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,  
SYNGENTA CORPORATION,  
SYNGENTA CROP PROTECTION, LLC,  
and CORTEVA, INC.,

Defendants.

Case No. 1:22-CV-00828

**ORDER**

This matter is before the Court on Plaintiffs' Motion to Set Initial Pretrial Conference [Doc. #82]. The Court has considered that request and the related briefing. However, the Court notes that there are pending Motions to Dismiss that could potentially result in dismissal of all of the claims in this case, or that could substantially narrow the claims requiring discovery. Those Motions to Dismiss have only recently been referred to the District Judge. In the circumstances, the Court concludes that it would be premature to conduct an Initial Pretrial Conference and begin discovery while the District Judge has those issues under

consideration. In the circumstances, a short stay of discovery is appropriate in the interests of justice and in light of the burden on the parties and the Court of extensive discovery prior to determination of which claims, if any, will actually proceed. Of course, the District Judge can choose to refer the case for setting of an Initial Pretrial Conference while the Motions to Dismiss are under consideration, if he concludes on preliminary review that it is unlikely that the Motions to Dismiss would be granted in full, or if he otherwise concludes at any point that it would be helpful for discovery to commence. In addition, the Court would not intend to delay discovery in light of the status or proceedings of the parallel multi-district litigation, 1:23MD3062, since the present case can and should proceed once the Motions to Dismiss are addressed. Therefore, the Motion to Set Initial Pretrial Conference will be denied at this time, and the Initial Pretrial Conference will be set on direction from the District Judge or following resolution of the Motions to Dismiss, whichever is first.

IT IS HEREBY ORDERED that the Motion to Set Initial Pretrial Conference [Doc. #82] is DENIED at this time, and the Initial Pretrial Conference will be set on direction from the District Judge or following resolution of the Motions to Dismiss, whichever is first.

This, the 24<sup>th</sup> day of April, 2023.

/s/ Joi Elizabeth Peake  
United States Magistrate Judge